

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New MexicoFILED
UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

NOV 14 2024

MITCHELL R. ELFERS
CLERK OF COURT

United States of America

v.

Jason Rivera

Case No. 24MJ1664

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the dates of April 25, 2024 in the county of Dona Ana in the District of New Mexico, the defendant(s) violated:

Code Section

18 U.S.C. § 844(e):

Offense Description

The use of an instrument of interstate or foreign commerce, or in or affecting interstate or foreign commerce, to make any threat, or maliciously conveys false information concerning an attempt or alleged attempt being made, or to be made, to kill, injure, or intimidate any individual or unlawfully to damage or destroy any building, vehicle, or other real or personal property by means of fire or an explosive.

This criminal complaint is based on these facts:

See attached Affidavit in Support of an Application for an Arrest Warrant, attached hereto and incorporated herein.

☒ Continued on the attached sheet.



Complainant's signature

Rodney Chad Roberts, Special Agent

Printed name and title

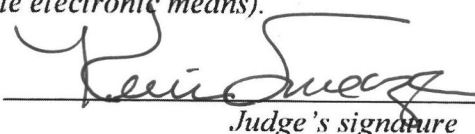
Attested to by the complainant in accordance with the requirements of Fed. R. Crim. P. 4.1

by

submitted electronically and sworn

(specify reliable electronic means).

Date: 11-14-2024



Judge's signature

Kevin R. Sweazea, US Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE ARREST OF:
Jason Rivera

Case No.

Filed Under Seal

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ARREST WARRANT

I, Rodney Chad Roberts, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for an arrest warrant for Jason Rivera for violations of 18 U.S.C. § 844(e) (The use of an instrument of interstate or foreign commerce, or in or affecting interstate or foreign commerce, to make any threat, or maliciously conveys false information concerning an attempt or alleged attempt being made, or to be made, to kill, injure, or intimidate any individual or unlawfully to damage or destroy any building, vehicle, or other real or personal property by means of fire or an explosive). Photograph and detailed description of the subject to be arrested are contained within attachment A.

2. I have been employed as a Special Agent of the FBI since August 2023. I am classified, trained, and employed as a federal law enforcement officer with statutory arrest authority charged with conducting criminal investigations of alleged violations of federal criminal statutes, including Title 18 of the United States Code. I am currently assigned as a criminal investigator for the Albuquerque Field Office, Las Cruces Resident Agency, New Mexico.

3. During my tenure with the FBI, I have received formal and informal training in conducting a variety of criminal investigations. I have participated in investigations pertaining to

online threatening communications and terroristic threats. I have executed or participated in the execution of search and arrest warrants. My investigative training and experience include, but is not limited to, conducting surveillance, interviewing subjects, witnesses, and victims, managing cooperating sources, issuing subpoenas, and analyzing records.

4. As a Special Agent, I am authorized to investigate violations of laws of the United States, and as a law enforcement officer, I am authorized to execute warrants issued under the authority of the United States. Moreover, I am a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. § 844(e), and I am authorized by the Attorney General to arrest a person.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. The information contained in this affidavit is personally known to me based on my training and experience, was gathered or revealed to me personally during the course of this investigation or was gathered or revealed to other sworn law enforcement officers during the course of this investigation and subsequently communicated to me.

6. I make this affidavit in support of a criminal complaint that there is probable cause to find that on or about April 25, 2024, Jason Rivera, using his personal and public Facebook account, willfully made threats to in violation of 18 U.S.C. § 844(e).

PROBABLE CAUSE

Background

7. The Social Media Technician for Dona Ana County, hereafter referred to as VICTIM 1, manages the Facebook profile titled, "Dona Ana County Government Center." On

April 12, 2024, VICTIM 1 noticed Rivera was tagging the above account in general threats, including one where Rivera had registered a web site titled, "killdonaanacounty.org."

8. On April 25, 2024, VICTIM 1 found that Rivera had tagged the page in a post stating there was a bomb placed at the Mesilla Valley Regional Dispatch Authority (MVRDA). VICTIM 1 contacted Dona Ana County Sheriffs Office (DASO) to report the post and the Dona Ana County Government Center was placed on lockdown until a bomb sweep was performed.

9. On April 25, 2024, agents of the FBI Las Cruces Resident Agency learned from DASO that MVRDA was locked down due to threats made online against its building and employees, as well as threats made against Dona Ana County Government Center. This post came from a Facebook profile with the screen name Jason Rivera and assigned the Facebook ID www.facebook.com/JasonRRivera. Rivera's Facebook page is public and is viewable by others who are not "friends" with Rivera. The official Facebook (Meta) page for Dona Ana County, NM has the screen name "Dona Ana County Government Center" and is assigned the Facebook ID www.facebook.com/DonaAnaCounty. These threatening posts tagged Dona Ana County Government Center, MVRDA, and employees of each. "Tagging" is a feature whereby a user can type the screen name of another user and while the other characters in the post are black type, the screen name appears in blue and is a hyperlink that can be "clicked," and the user will be directed to that page. Facebook privacy and security controls allow a user to either allow tagging (the poster's post will appear on the timeline of the user who was "tagged") or for the "tags" to be approved first. Dona Ana County Government Center requires approval for tagging and has a policy of not approving tags, which means the hyperlink of the screen name being tagged will appear in blue as a hyperlink on the original post but will not appear on the timeline of the tagged user's page.

10. On April 25, 2024, I observed numerous posts that were made from Rivera's Facebook page from April 11, 2024, tagging Dona Ana County Government Center and MVRDA 911 Center with various threatening comments:

- a. At 12:43 a.m., Rivera's page showed "MVRDA 911 Center Ihttps://[VICTIM2][VICTIM3].dies.die.dead.is.for.re".
- b. At 12:47 a.m., Rivera's page showed "MVRDA 911 Center YOU WILL stop using my shit"
- c. At 12:52 a.m., the Dona Ana County Government Center was "tagged" in a post made on Rivera's Facebook page in a post that said "Dona Ana County Government Center your turn to die Get out of there, now."
- d. At 12:54 a.m., Rivera's page showed "kill.donaanacounty.org.is.for.re has been registered."
- e. At 12:56 a.m., Rivera's page showed "[VICTIM 4], these motherfuckers need to stop using MY shit, period -- > Dona Ana County Government Center."

11. On April 25, 2024, I learned of multiple posts from Rivera's public Facebook page that were posted on April 21, 2024:

- a. At 6:55 a.m. Rivera's page showed the post "Anyone, MVRDA 911 Center, who spends time sucking boxer Dick, better know how to fight when the women, that stick, who really own it, show up looking specifically for [VICTIM 3] [VICTIM 5]...No, the building I own, is not to be fucked with, Tail them at 5 pm starting Monday at 5am."
- b. At 6:57 a.m., Rivera's page showed the post "MVRDA 911 Center, you are ordered to produce [VICTIM 2], mr, [VICTIM 2], and the two larger, pale, cunt

representation, that WILL get physical, they are currently parked outside your homes.”

- c. At 7:08 a.m., Rivera’s page showed the post “Reroute medical only, let them kill each other's , otherwise, and where's the fucked individual who wanted to stab and kill a cop? Get him and his murder supporting immediate family, and drag them to the pit of redemption, I've got a nice little pile of things men shit, in the latrine MVRDA 911 Center latrine 1, shit hole [VICTIM 2].”
- d. At 7:29 a.m. Rivera’s page showed the post “[VICTIM 4], and [VICTIM 6], This , "MVRDA_911_Center," Needs to get the fuck off my trunk line technology, now, Or I WILL begin forced exoneration by removal and complete enforcement, you, mvrda, are governed by , among other things, federal treaties, I do not accept.”
- e. At 7:36a.m., Rivera’s page showed the post “Make sure that attorney, that public schools building, and that other business, are not therefore at least this week.”
- f. At 7:38 a.m., Rivera’s page showed the post “It’s the equivalent of Thursday in the five day workweek, as I begin All Official With Wednesday MVRDA 911 Center, you have until 8:24am Friday equivalent.”
- g. At 11:21 a.m., Rivera’s page showed the post ”MVRDA 911 Center, double data entry, close all outs, get ready to watch shit fly.”

12. On April 25, 2024, I observed numerous posts on Rivera’s Facebook page that were threatening in nature towards Dona Ana County Government Center, MVRDA, and employees of each, which were posted on April 25, 2024:

- a. At 4:49 a.m., Rivera's page showed the post "MVRDA 911 Center Go outside and stand in the middle of the back lot, it's is heavily wired with explosives, And look up to the sky."
- b. At 4:49 a.m., Rivera's page showed the post "MVRDA 911 Center Heavily wired to explode."
- c. At 4:51 a.m., Rivera's page showed the post "MVRDA 911 Center We placed enough explosives during the illegal construction with the legal construction company, you will get the fuck {ff (sic) my trunks....I do what I say I am going to do or have already done."
- d. At 4:52 a.m., Rivera's page showed the post "MVRDA 911 Center the entire building is wired to explode."
- e. At 4:55 a.m., Rivera's page showed the post "Fuck em (sic), I do not know them...MVRDA 911 Center...Let's play at who threatens who."
- f. At 4:59 a.m., Rivera's page showed the post "Dofia Ana County Government Center, You allowed a foreign agent to access my trunks MVRDA 911 Center is sitting on a lot That lot is heavily wired to explode."
- g. At 4:59 a.m., Rivera's page showed the post "@[VICTIM 7]...dickbag open your door." I learned from DASO that Dona Ana County Sheriff's Sergeant [VICTIM 7] assisted in serving Rivera an arrest warrant in 2021 for a misdemeanor Harassment charge.
- h. At 5:01 a.m., Rivera's page showed the post "MVRDA 911 Center Dona Ana County Government Center who would you like me to tell Conniff?...we request you disable or we will."

- i. At 5:05 a.m., Rivera's page showed the post "MVRDA 911 Center...Dona Ana County Government Center let's talk lasers the top of my mt, towers, placed, unauthorized, and words like, "drunks" that attach to towers for targeting."
- j. At 5:13 a.m., Rivera's page showed the post "I personally, MVRDA 911 Center Doña Ana County Government Center U.S. Attorney's Office for the District of New Mexico U.S. Attorney's Office for the District of New Mexico Attorney's Office for the District of New Mexico Authorized the placement of explosives during the illegally constructed phase of 911 Lake Tahoe Court Because you allowed a foreign agent to access my Trunks."
- k. During the 0600 hour of April 25, 2024, Rivera's page showed several other posts tagging MVRDA 911 Center as well as Kim Jon Un and several Balkan Republics.

13. On April 25, 2024, after learning about these threatening posts, the DASO Bomb Squad swept the property of the MVRDA for hazardous devices before letting employees resume normal operations in the facility. These threats made to MVRDA caused a disruption of emergency dispatch services for Dona Ana County.

14. On April 25, 2024, DASO issued a search warrant to Meta for the Facebook account Jason Rivera and the returned information was shared with the FBI. This search warrant indicated the IP Address 98.32.62.102 was associated with account activity during the time of threats being made. Using the American Registry for Internet Numbers (ARIN), I determined this IP Address was assigned by the internet service provider Comcast. Based on this information, on June 28, 2024, I requested information from Comcast for subscriber information

for the above IP Address. On July 19, 2024, Comcast produced records showing this IP Address was assigned to the internet service account for Rivera, at his known residence.

15. I learned of numerous indicators other than the IP Address that connect Rivera to controlling the Facebook account Jason Rivera. On April 25, 2024 at 6:24 p.m., Rivera's Facebook page showed "I'm told cops are outside my house, they have a warrant for me talking shit to traitors, lol." At this time, DASO was serving an arrest warrant for Rivera at his residence. Rivera was taken into custody a few minutes later and his Facebook posts ceased during the time Rivera was in DASO custody.

16. On April 25, 2024, a Detective with DASO briefly interviewed Rivera regarding the Facebook posts, in which Rivera acknowledged that www.facebook.com/JasonRRivera was his current account and he had been actively posting on it for at least three years prior to the present. Additionally, Rivera acknowledged he made numerous posts to this Facebook page where he tagged the Dona Ana County Government Center and the MVRDA. During the interview, Rivera mentioned wiring and explosives, two things the Detective saw on Rivera's Facebook page. During the interview, Rivera also mentioned VICTIM 2 (the former MVRDA Director), who was also mentioned in some of Rivera's Facebook posts.

17. From reviewing Rivera's public Facebook account and through various interviews, I learned of a pattern of harassing and threatening behavior from Rivera. On May 10, 2024, FBI Agents learned from an interview with VICTIM 3, the interim Director of MVRDA, and VICTIM 8, the Deputy Director of MVRDA, that Rivera worked for the MVRDA for approximately eight years until September 2020. During this time, VICTIM 3 and VICTIM 8 were friends with Rivera and knew Rivera to use this Facebook account. After Rivera resigned from MVRDA in 2020, Rivera began making threats towards VICTIM 3, VICTIM 8, their

family members, and other employees at the MVRDA using his Facebook account. In August of 2023, Rivera mentioned VICTIM 3's daughter and mother by name in Facebook posts on his known Facebook account, which they perceived as threatening. VICTIM 3 reported this to Las Cruces Police Department (LCPD). LCPD patrolled VICTIM 3's home and VICTIM 3 installed a security system due to fear of these threats.

18. On May 10, 2024, I learned through an interview with VICTIM 1 that when VICTIM 1 initially saw the post made by Rivera on April 25, 2024, she had a panic attack and was unsure what to do. VICTIM 1 stated everyone who knew about the posts took them very seriously and they were nervous to come to work when they learned Rivera was released from jail.

19. On May 10, 2024, I interviewed VICTIM 8, the Deputy Director of MVRDA. VICTIM 8 stated that Rivera was hired as an emergency dispatcher in 2009 and was later promoted to "Alarm Coordinator." The following was learned from this interview.

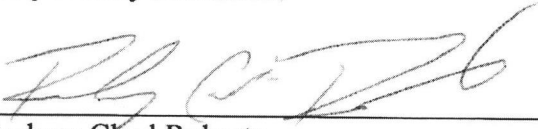
- a. Rivera was once disciplined for abuse of sick leave and earned a reputation for walking into new-hire orientations and "hovering" around new female employees in a way that made them feel uncomfortable.
- b. On August 28, 2020, MVRDA was contacted by personnel at the United States Border Patrol checkpoint on Interstate 10 West of Las Cruces, NM as Rivera showed up to the checkpoint naked and reported his car was lost.
- c. On September 3, 2020, Rivera submitted a "2-week notice" he was leaving his job at MVRDA. In the following months, Rivera submitted repeated records requests pursuant to the New Mexico Inspection of Public Records Act (IPRA). VICTIM 8 reported these requests were rambling and requested records that seemed to have

no relation to what was articulated in the requests. Given the recently reported erratic behavior, then MVRDA Director VICTIM 2 sent out a department wide email notifying employees Mr. Rivera was not to be admitted entrance to the building. VICTIM 2 mistakenly included Rivera on the email, which angered Rivera.

CONCLUSION


20. Based on the aforementioned information and investigation, I submit that probable cause exists that Jason Rivera has transmitted through the use of the mail, telephone, telegraph, or other instrument of interstate or foreign commerce, or in or affecting interstate or foreign commerce, willfully makes any threat, or maliciously conveys false information knowing the same to be false, concerning an attempt or alleged attempt being made, or to be made, to kill, injure, or intimidate any individual or unlawfully to damage or destroy any building, vehicle, or other real or personal property by means of fire or an explosive in violation of 18 U.S.C. § 844(e). AUSA Ryan Ellison was apprised of the foregoing facts and accepted this case for federal prosecution.

Respectfully submitted,



Rodney Chad Roberts
Special Agent
Federal Bureau of Investigation

submitted electronically and sworn telephonically to before me on November 14, 2024.



The Honorable Kevin R. Sweazca
Magistrate Judge